

AUG 20 2004

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for H.R. 1149/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	10/713,880
Filing Date	11/13/2003
First Named Inventor	S. Reinecke
Art Unit	3764
Examiner Name	Not yet assigned
Attorney Docket Number	24004350.010030US-2

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
		DE 10007635 A1	07/19/2004	Peter Kubin		
		DE 10007634 A1	07/12/2001	Peter Kubin		
		CH 0690398A	08/31/2000	Peter Kubin		
		CH 0689797A	11/30/1999	Peter Kubin		

**Examiner
Signature**

Quinaria Dopter-Green

Date
Considered

11/15/04

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. *Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. *Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/713,880
		Filing Date	11/13/2003
		First Named Inventor	S. Reinecke
		Art Unit	3764
		Examiner Name	Not yet assigned
Sheet 2	of 2	Attorney Docket Number	24004350.010030US-2

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
DDG		PCT, Notification of International Search Report or the Declaration and International Search Report, 07/30/2004, 4 pages	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO-1449 Information Disclosure Citation in an Application		Application No. Docket Number 068612.0220		Applicant(s) Steven M. Reinecke, et al. Group Art Unit Filing Date November 13, 2003			
U.S. PATENT DOCUMENTS							
		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
DDG	A	1,589,670	06/22/1926	Vartia			11/15/1924
DDG	B	2,835,247	05/20/1958	Stabholz	128	78	08/29/1956
DDG	C	3,029,810	08/17/1962	Martin	128	78	08/01/1960
DDG	D	3,351,053	11/07/1967	Stuttle	128	78	11/13/1962
DDG	E	3,420,230	01/07/1969	Ballard	128	75	12/06/1965
DDG	F	3,521,623	07/28/1970	Nichols et al.	128	78	02/12/1965
DDG	G	3,548,817	12/22/1970	Mittasch	128	75	04/29/1968
DDG	H	3,598,114	08/10/1971	Lewis	128	78	03/26/1969
DDG	I	3,889,664	06/17/1975	Heuser et al.	128	75	05/13/1974
DDG	J	3,926,182	12/16/1975	Stabholz	128	75	01/24/1974
DDG	K	4,135,503	01/23/1979	Romano	128	78	01/05/1977
DDG	L	4,269,179	05/26/1981	Burton et al.	128	75	03/22/1979
DDG	M	4,497,517	02/05/1985	Grmeiner et al.	297	231	06/30/1982
DDG	N	4,552,135	11/12/1985	Racz et al.	128	78	03/05/1984
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
	O	19610018A1	17.10.1996	Germany	A61F	5/042	YES NO
	P	2637244A1	16.06.1977	Germany	A61H	1/02	X
	Q	0864308A1	16.09.1998	European	A61F	5/02	X
NON-PATENT DOCUMENTS							
		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)					DATE
	R	Unknown, "Office, Computer and Industrial Ergonomics," AliMed, Dedham, Massachusetts, 2 page brochure					1993
	S	Unknown, "1992 Catalog," The Saunders Group, Inc., brochure, 2 pages					1992
	T	Unknown, "Catalog for Rehabilitation Professionals," Flaghouse Rehab., 2 pages					Undated
EXAMINER				DATE CONSIDERED			
<i>Patricia D. Grene</i>				<i>11/15/04</i>			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

U.S. Patent and Trademark Office

PTO-1449 Information Disclosure Citation in an Application	Application No.	Applicant(s)	
	Docket Number 068612.0220	Group Art Unit	Filing Date November 13, 2003

U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
DOC	A	4,559,933	12/24/1985	Batard et al.	128	78	06/23/1983
DOC	B	4,599,998	07/15/1986	Castillo	128	77	06/01/1984
DOC	C	4,622,957	11/18/1986	Curlee	128	78	07/03/1984
DOC	D	4,682,588	07/28/1987	Curlee	128	78	05/07/1985
DOC	E	4,685,668	08/11/1987	Newlin, Jr.	272	123	10/30/1986
DOC	F	4,691,696	09/08/1987	Farfan de los Godos	128	78	02/01/1985
DOC	G	4,702,235	10/27/1987	Hong	128	78	05/17/1986
DOC	H	4,715,362	12/29/1987	Scott	128	75	02/27/1986
DOC	I	4,721,102	01/26/1988	Pethybridge	128	78	08/16/1986
DOC	J	4,836,194	06/06/1989	Sebastian et al.	128	78	08/17/1987
DOC	K	4,884,562	12/05/1989	Stone	128	78	12/22/1986
DOC	L	4,898,185	02/06/1990	Fuller	128	876	02/24/1989
DOC	M	4,907,575	03/13/1990	Satterthwaite	128	75	08/03/1988
DOC	N	4,991,572	02/12/1991	Chases	128	75	10/30/1989
DOC	O	4,991,573	02/12/1991	Miller	128	78	03/26/1990

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	P	WO 02/069858 A1	12.09.2002	✓ PCT	A61F	5/02	X	
	Q							

NON-PATENT DOCUMENTS

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	R	Reinecke et al., "Traction Device," patent application, 09/875,486, pending	06/05/2001
	S	Reinecke et al., "Canting Mechanism for an Ambulatory Support Device," patent application, 09/875,473, pending	06/05/2001
	T	Reinecke et al., "Traction Device Adjustment Mechanism and Method," patent application, 09/875,315, pending	06/05/2001
	U	Reinecke et al., "Measurement Device for Fitting a Bracing Device," patent application, 10/154,695, pending	05/23/2002

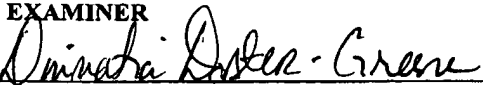
EXAMINER

Quinn-Dorsten-Greene

DATE CONSIDERED

11/15/02

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449 Information Disclosure Citation in an Application		Application No. Docket Number 068612.0220		Applicant(s) Steven M. Reinecke et al. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Group Art Unit</td> <td style="width: 50%;">Filing Date</td> </tr> <tr> <td></td> <td>November 13, 2003</td> </tr> </table>				Group Art Unit	Filing Date		November 13, 2003
Group Art Unit	Filing Date										
	November 13, 2003										
U.S. PATENT DOCUMENTS											
		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE				
006	A	5,060,640	10/29/1991	Rasmusson	128	80 C	03/14/1990				
006	B	5,062,414	11/05/1991	Grim	128	68.1	01/11/1990				
006	C	5,111,807	05/12/1992	Spahn et al.	606	244	10/11/1990				
006	D	5,144,943	09/08/1992	Luttrell et al.	128	25 B	07/09/1990				
006	E	5,188,586	02/23/1993	Castel et al.	602	19	10/04/1991				
006	F	5,207,635	05/04/1993	Richards et al.	602	19	02/27/1992				
006	G	5,256,135	10/26/1993	Avihod	602	19	01/23/1992				
006	H	5,363,863	11/15/1994	Lelli et al.	128	876	04/23/1993				
006	I	5,382,226	01/17/1995	Graham	602	32	02/12/1993				
006	J	5,403,266	04/04/1995	Bragg et al.	602	5	07/06/1993				
006	K	5,437,617	08/01/1995	Heinz et al.	602	19	08/29/1994				
006	L	5,441,479	08/15/1995	Chitwood	602	18	09/13/1993				
006	M	5,462,518	10/31/1995	Hatley et al.	602	36	03/07/1994				
006	N	5,586,969	12/24/1996	Yewer, Jr.	602	19	06/16/1995				
006	O	5,651,764	07/29/1997	Chiu	602	36	03/05/1996				
FOREIGN PATENT DOCUMENTS											
		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION				
	P						YES NO				
NON-PATENT DOCUMENTS											
		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)					DATE				
	Q	Reinecke, et al., "Traction Device and Associated Lifting Mechanisms," patent application, 10/335,694, pending					01/02/2003				
	R	Reinecke et al., "Ambulatory Cyclic Traction Device," patent application, 10/370,823, pending					02/20/2003				
	S	PCT, Notification of Transmittal of the International Search Report or the Declaration, 6 pages					04/07/2002				
	T	PCT, Notification of Transmittal of the International Search Report or the Declaration, 6 pages					04/07/2002				
	U	PCT, Notification of Transmittal of the International Search Report or the Declaration, 7 pages					04/07/2002				
EXAMINER				DATE CONSIDERED							
				11/15/04							
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.											

U.S. Patent and Trademark Office

PTO-1449 Information Disclosure Citation in an Application		Application No. Docket Number 068612.0220		Applicant(s) Steven M. Reinecke et al. Group Art Unit Filing Date November 13, 2003			
U.S. PATENT DOCUMENTS							
		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
A		5,681,267	10/28/1997	Molino et al.	602	19	10/15/1996
B		5,690,609	11/25/1997	Heinze, III	602	19	05/13/1996
C		5,722,940	03/03/1998	Gaylord, Jr. et al.	602	19	07/16/1996
D		5,913,410	06/22/1999	Tsuchiya	2	311	02/24/1998
E		5,916,188	06/29/1999	Ousdal	602	32	07/16/1997
F		6,099,490	08/08/2000	Turtzo	602	19	10/29/1998
G		6,146,345	11/14/2000	Mignard	602	19	09/04/1998c
H		6,533,740	03/18/2003	Reinecke et al.			06/05/2001
I							
J							
K							
L							
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
M							
N							
O							
P							
Q							
NON-PATENT DOCUMENTS							
		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)					DATE
R		PCT, Notification of Transmittal of the International Search Report or the Declaration, 6 pages					04/07/2002
S		PCT, Notification of Transmittal of the International Search Report or the Declaration, 6 pages					31/01/2003
T							
U							
EXAMINER				DATE CONSIDERED			
<i>Quintin Doster-Greene</i>				<i>11/15/04</i>			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

U.S. Patent and Trademark Office



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Complete if Known

Application Number	10/713,880
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Filing Date	11/13/2003
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First Named Inventor	Steven M. Reinecke
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Art Unit	3764
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Examiner Name	Unassigned
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Attorney Docket Number	24004350.10030US-2
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Sheet 1 of 1

[illegible][illegible]

11	15	24
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Attorney Docket No.
24004350.010030US-2

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Steven M. Reinecke, et al
Serial No.: 10/713,880
Filed: November 13, 2003
For: **Brace with Integrated Lumbar
Support System**

) Group Art Unit: 3764
)
) Examiner: Not yet assigned
)
)
)
)
)
)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant(s) hereby notify the U.S. Patent and Trademark Office of the document(s) which is/are listed on the attached Form PTO-SB/08A. One copy of the listed documents is submitted herewith.

 X (1) This IDS does NOT require a fee or 37 C.F.R. § 1.97(e) statement because it is being filed (check all that apply):

 (a) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); **OR**

 (b) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; **OR**

 X (c) Before the mailing of a first Office action on the merits; **OR**

____ (d) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

____ 2) This information disclosure statement is filed before the mailing date of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and (check only one):

____ (a) Is accompanied by the fee set forth in § 1.17(p); **OR**

____ (b) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

____ (c) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

____(3) This Information disclosure statement is filed on or before payment of the issue fee and is accompanied by the fee set forth in § 1.17(p); **AND** (check only one):

____ (a) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

____(b) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of

information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

___ 4) This Information disclosure statement is filed after payment of the issue fee and Applicant(s) understand that it will be placed in the file but will not be considered by the Office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant(s) does/do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Please charge any deficiencies in connection with this Information Disclosure Statement to Deposit Account No. 13-0480 (please reference 24004350.010030US-2).

Respectfully submitted,



Richard V. Wells
Reg. No. 53,757
Attorney for Applicant

Date: 8/16/04

Baker & McKenzie LLP
2300 Trammell Crow Center
2001 Ross Avenue
Dallas, TX 75201
(214) 978-3006 (direct)
(214) 978-3099 (facsimile)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Steven M. Reinecke et al.
Date Filed: November 13, 2003
Title: BRACE WITH INTEGRATED LUMBAR
SUPPORT SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450


Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form, and previously cited in United States Patent Application No. 10/407,052, filed April 3, 2003 by Applicants and entitled "Dynamically Adjustable Stabilization Brace," be considered and cited in the examination of the above-identified continuation-in-part patent application. Pursuant to 37 C.F.R. § 1.98(d), copies of these references are not being furnished. Furthermore, no representation is made that these references qualify as prior art, that a search has been made, or that these references are material to the patentability of the present application.

Pursuant to 37 C.F.R. § 1.97(b), no fee is believed due. If, however, Applicants have overlooked the need for a fee, the Commissioner is hereby authorized to charge any underpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

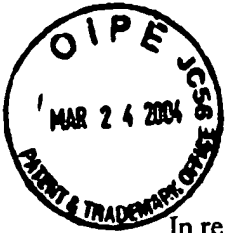
Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicants



Christopher W. Kennerly
Registration No. 40,675

Dated: November 13, 2003

CUSTOMER NUMBER **05073**



10/713,880

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit: 3764
Reinecke, et al.)	Examiner: Unassigned
Serial No.: 10/713,880)	
Filed: November 13, 2003)	
For: BRACE WITH INTEGRATED)	
LUMBER SUPPORT SYSTEM)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

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 (b) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; **OR**

X (c) Before the mailing of a first Office action on the merits; **OR**

☐ (d) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

☐ (2) This information disclosure statement is filed before the mailing date of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and (check only one):

☐ (a) Is accompanied by the fee set forth in § 1.17(p); **OR**

☐ (b) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

☐ (c) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ (3) This Information disclosure statement is filed on or before payment of the issue fee and is accompanied by the fee set forth in § 1.17(p); **AND** (check only one):

☐ (a) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

☐ (b) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to

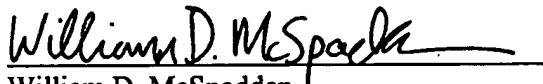
the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant(s) does/do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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Respectfully submitted,



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March 22, 2004

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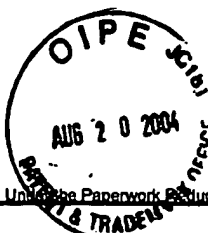
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	Art Unit	3764
	Examiner Name	Not yet assigned
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